

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

VERONICA VALENTINE,

Plaintiff,

vs.

**CHRIS BROWN, #1873; 8 UNKNOWN
JANE - JOHN DOE OMAHA POLICE
OFFICERS, THE CITY OF OMAHA, LISA
VILLWOK, AND #1764; and JENNIFER
HANSEN, #1585;**

Defendants;

8:16CV131

MEMORANDUM AND ORDER

VERONICA VALENTINE,

Plaintiff,

vs.

**CITY OF OMAHA, CHIEF OF OMAHA
POLICE SCHMADER, UNKNOWN JOHN
JANE DOE POLICE, LISA VILLWOK,
AND #1764; and JENNIFER HANSEN,
#1585;**

Defendants.

8:16CV174

MEMORANDUM AND ORDER

This matter is before the Court on the Motion for Summary Judgment, ECF No. 32 in 8:16cv131, ECF No. 34 in 8:16cv174, filed by pro se Plaintiff Veronica Valentine ("Valentine").

Valentine initiated her action in Case No. 8:16cv131 on March 25, 2016, naming as Defendants Chris Brown, eight unknown Omaha police officers, and the City of Omaha. She initiated her action in Case No. 8:16cv174 on April 19, 2016, naming as Defendants the City of Omaha, the Omaha Chief of Police, and unknown police officers. Liberally construed, both actions alleged a violation of Valentine's rights under the

Fourth Amendment to the United States Constitution in connection with a search conducted by Omaha police in July 2015.

The cases were consolidated on July 14, 2016; and Valentine filed an Amended Complaint on September 12, 2016, ECF No. 12 in 8:16cv131, ECF No. 16 in 8:16cv174, which is now the operative pleading in both cases. The Amended Complaint names as Defendants Lisa Villwok (“Villwok”) and Jennifer Hansen (“Hansen”), the officers who allegedly conducted the search giving rise to Valentine’s actions. Counsel for Villwok and Hansen entered his appearance and filed an Answer on their behalf, ECF No. 24 in 8:16cv131, ECF No. 29 in 8:16cv174.

The parties’ Rule 26 Report is due to the Court on January 30, 2017, and no progression order has been entered, nor has discovery commenced.

In Valentine’s Motion for Summary Judgment, which also purports to include a motion for class certification, she appears to argue that judgment should be granted in her favor because on November 18, 2016, a judge of the Douglas County District Court granted a motion in limine and a motion to suppress in a criminal proceeding related to the search, finding that a statement made by Valentine following the search was inadmissible. The order of the District Court of Douglas County in the related criminal proceeding is not dispositive of the issues presented in this case, and the parties herein will be permitted to proceed with discovery.

IT IS ORDERED:

Plaintiff Veronica Valentine’s Motion for Summary Judgment, ECF No. 32 in 8:16cv131, and ECF No. 34 in 8:16cv174, is denied without prejudice to

reassertion at an appropriate time following the issuance of the progression order.

Dated this 23rd day of December, 2016

BY THE COURT:

s/Laurie Smith Camp
Chief United States District Judge